

HOUSE BILL NO. 200

INTRODUCED BY M. JOPEK

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE LAND CLASSIFICATION AND RECLASSIFICATION LAWS; REQUIRING A VOTE OF AT LEAST FOUR MEMBERS OF THE BOARD OF LAND COMMISSIONERS FOR RECLASSIFICATION; PROVIDING FOR PUBLIC REVIEW OF AND COMMENT ON A PROPOSED RECLASSIFICATION; AND AMENDING SECTION 77-1-402, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 77-1-402, MCA, is amended to read:

**"77-1-402. Basis for classification or reclassification -- vote requirement.** (1) The Subject to subsections (3) and (4), the classification or reclassification shall must be so made as to place state land in the class which that best accomplishes the powers and duties of the board as specified in 77-1-202 and 77-1-203. When state lands are classified or reclassified in accordance with these duties and responsibilities, special attention shall must be paid to the capability of the land to support an actual or proposed land use authorized by each classification.

(2) It is the duty of the ~~department~~ board to classify or reclassify state lands so that ~~no~~ state land will not be sold, leased, or used under a different classification from that to which it actually belongs.

(3) A parcel of state land may not be reclassified unless the reclassification is approved by a vote of at least four members of the board.

(4) For lands proposed for reclassification, the board shall:

(a) allow for public review and public comment regarding the reclassification; and

(b) provide an assessment of any impacts to general recreational use of the parcel that may result from the reclassification."

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